

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

DOLORES LUCERO,

Plaintiff,

v.

STEPHEN H. BAKER,

Defendant.

Case No. 2:24-cv-02855-DC-JDP (PS)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Doc. Nos. 8, 13)

Plaintiff Dolores Lucero is proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 13, 2024, Defendant Stephen H. Baker filed a motion to dismiss Plaintiff's complaint. (Doc. No. 8.) On March 24, 2025, the magistrate judge issued findings and recommendations recommending Defendant's motion to dismiss be granted and Plaintiff's complaint be dismissed for lack of jurisdiction. (Doc. No. 13.) Specifically, the magistrate judge found Defendant was entitled to judicial immunity because Defendant's "alleged violations occurred when defendant was performing his core judicial duties, within jurisdictional boundaries." (*Id.* at 3–4.)

The pending findings and recommendations were served on the parties and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at

1 5.) On April 1, 2025, Plaintiff filed objections to the magistrate judge's findings and
2 recommendations. (Doc. No. 14.) In her objections, Plaintiff argues judicial immunity does not
3 apply to Defendant Baker because he committed "non-judicial actions" against her "in the
4 absence of lawful authority." (*Id.* at 2–4.) Plaintiff's objections do not provide a basis upon which
5 to reject the pending findings and recommendations.

6 Consistent with 28 U.S.C. § 636(b)(1), the court has conducted a *de novo* review of the
7 case. Having carefully reviewed the file, including Plaintiff's objections, the court finds the
8 findings and recommendations to be supported by the record and proper analysis.

9 Accordingly,

10 1. The findings and recommendations issued on March 24, 2025 (Doc. No. 13) are
11 ADOPTED in full;

12 2. Defendant Stephen H. Baker's motion to dismiss (Doc. No. 8), is GRANTED;

13 3. Plaintiff's complaint (Doc. No. 1), is DISMISSED without leave to amend; and

14 4. The Clerk of Court is directed to close this case.

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16 IT IS SO ORDERED.

17 Dated: September 15, 2025



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19 Dena Coggins
20 United States District Judge

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